

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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In Re: PHARMACEUTICAL INDUSTRY	: MDL NO. 1456
AVERAGE WHOLESALE PRICE	: Master File No. 01-CV-12257-PBS
LITIGATION	: Judge Patti B. Saris
THIS DOCUMENT RELATES TO:	:
(All Actions)	:
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[PROPOSED] CASE MANAGEMENT ORDER NO. 6

WHEREAS, on May 13, 2003, this Court issued a Memorandum and Order granting Defendants' motion to dismiss Plaintiffs' claims under the federal Racketeer Influenced and Corrupt Organizations Act ("RICO"), but denying Defendants' motion to dismiss Plaintiffs' claims under the Declaratory Judgment Act and various state consumer protection statutes;

WHEREAS, this Court's May 13, 2003 Memorandum and Order also dismissed the remaining Class 1 claims against certain Defendants, and the remaining Class 2 claims against other Defendants effective thirty (30) days from the date of the order unless a motion to amend is filed;

WHEREAS, Case Management Order No. 5 requires the parties to submit a case management proposal within fourteen (14) days after the Court's ruling on the Defendants' motion to dismiss;

WHEREAS, Plaintiffs intend to move for leave to file an amended complaint that will affect the individuals and entities that are party to this action, as well as the claims that are asserted, if the motion is granted;

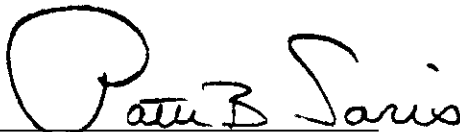
WHEREAS, judicial economy would be best served if the remaining Defendants are relieved from their obligation to answer the remaining claims in the Master Consolidated Class Action Complaint;

WHEREAS, the parties agree that a modest extension of the deadline for making their submissions with respect to case management would enable the parties to meet and confer;

IT IS HEREBY ORDERED as follows:

1. The remaining Defendants are relieved from their obligation to respond to the remaining claims in the Master Consolidated Class Action Complaint.
2. The parties shall make their submissions with respect to case management by June 6, 2003.

Dated: May 31, 2003


Patti B. Saris
United States District Judge